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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,532	10/10/2001	Craig L. Ogg	47444/FLC/S850	9473
23363	7590	12/14/2004	EXAMINER	
CHRISTIE, PARKER & HALE, LLP			CANGIALOSI, SALVATORE A	
PO BOX 7068			ART UNIT	
PASADENA, CA 91109-7068			PAPER NUMBER	

3621

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/975,532

Applicant(s)

OGG ET AL.

Examiner

Salvatore Cangialosi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address.

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02/01/2002 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03/22/2002.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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1. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

2. Claims 1-41 are rejected under 35 U.S.C. § 103 as being unpatentable over Whisker (4780828) in view of Rhoads (6311214) and either Sansone (6108643) or Leon (6701304).

Regarding claim 1, Whisker (See abstract, Figs. 2-3, 5 and 6, Col. 4, lines 25-35, Col. 6, lines 50-60 claims 1, 10, 16 and 22) disclose a method for printing postage based on preprinted serial numbers and thereafter printing indicia of same on the mail piece substantially as claimed. The differences between the above and the claimed invention is the use of a preprinted label. It is noted that it is believed that the preprinted serial number could include a master serial number which is functionally equivalent to the claimed limitations. Otherwise resort can be had to Rhoads (See abstract, and Col. 1,

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lines 20-50) for a show of hidden data on a postal paper which is the functional equivalent of a master serial number. Either Sansone (Col. 3, lines 10-30) or Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Whisker because the preprinted labels are conventional functional equivalents with respect to the claim limitations in preprinted mail pieces. Regarding anti-fraud limitations of claim 2, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with encryption features which is a functional equivalent of the claim limitations. Regarding micro-printing limitations of claim 3, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels including micro-printing which is a functional equivalent of the claim limitations. Regarding watermark limitations of claim 4, Rhoads (See abstract, and Col. 1, lines 20-50) for a show of steganographic data on a postal paper which are the functional equivalents of the claim limitations. Regarding the die limitations of claim 5, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels that must be cut to make labels which is a functional equivalent of the claim limitations. Regarding color limitations of claim 6, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with different color ink that is a

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functional equivalent of the claim limitations. Regarding the postage limitations of claim 7, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with postage amount which is a functional equivalent of the claim limitations. Regarding the class limitations of claim 8, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with postage class (col. 7, line 5) which is a functional equivalent of the claim limitations since all postage requires postage class. Regarding post office limitations of claim 9, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with U.S. Postage features (See Fig. 4) which is a functional equivalent of the claim limitations. Regarding preprinted serial number limitations of claim 10, Whisker (See abstract, Figs. 2-3, 5 and 6, Col. 4, lines 25-35, Col. 6, lines 50-60 claims 1, 10, 16 and 22) disclose a method for printing postage based on preprinted serial numbers which is a functional equivalent of the claim limitations. Regarding the meter limitation of claim 11 Sansone (See Col. 2, 60-65, Col. 3, lines 1-25) show postal meter number on postage which is a functional equivalent of the claim limitations since security is enhanced by additional security elements. Regarding the tracking limitations of claim 12, Whisker (See abstract, Figs. 2-3, 5 and 6, Col. 4, lines 25-35, Col. 6, lines 50-60 claims 1, 10, 16 and 22) disclose a method for printing postage based on preprinted serial numbers which are

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tracked which is a functional equivalent of the claim limitations. Regarding claim 13, Whisker (See abstract, Figs. 2-3, 5 and 6, Col. 4, lines 25-35, Col. 6, lines 50-60 claims 1, 10, 16 and 22) disclose a means for printing postage based on preprinted serial numbers and thereafter printing indicia of same on the mail piece substantially as claimed. The differences between the above and the claimed invention is the use of a preprinted label. It is noted that it is believed that the preprinted serial number could include a master serial number which is functionally equivalent to the claimed limitations. Otherwise resort can be had to Rhoads (See abstract, and Col. 1, lines 20-50) for a show of hidden data on a postal paper which is the functional equivalent of a master serial number. Either Sansone (Col. 3, lines 10-30) or Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Whisker because the preprinted labels are conventional functional equivalents with respect to the claim limitations in preprinted mail pieces. Regarding anti-fraud limitations of claim 14, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with encryption features which is a functional equivalent of the claim limitations. Regarding micro-printing limitations of claim 15, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted

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postage labels including micro-printing which is a functional equivalent of the claim limitations. Regarding watermark limitations of claim 16, Rhoads (See abstract, and Col. 1, lines 20-50) for a show of steganographic data on a postal paper which are the functional equivalents of the claim limitations.

Regarding the die limitations of claim 17, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels that must be cut to make labels which is a functional equivalent of the claim limitations. Regarding color limitations of claim 16, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with different color ink that is a functional equivalent of the claim limitations. Regarding the postage limitations of claim 19, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with postage amount which is a functional equivalent of the claim limitations. Regarding the class limitations of claim 20, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with postage class (col. 7, line 5) which is a functional equivalent of the claim limitations since all postage requires postage class. Regarding post office limitations of claim 21, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with U.S. Postage features (See Fig. 4) which is a functional equivalent of the claim limitations. Regarding preprinted serial number limitations of claim 22,

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Whisker (See abstract, Figs. 2-3, 5 and 6, Col. 4, lines 25-35, Col. 6, lines 50-60 claims 1, 10, 16 and 22) disclose a method for printing postage based on preprinted serial numbers which is a functional equivalent of the claim limitations. Regarding the meter limitation of claim 23, Sansone (See Col. 2, 60-65, Col. 3, lines 1-25) show postal meter number on postage which is a functional equivalent of the claim limitations since security is enhanced by additional security elements. Regarding the tracking limitations of claim 24, Whisker (See abstract, Figs. 2-3, 5 and 6, Col. 4, lines 25-35, Col. 6, lines 50-60 claims 1, 10, 16 and 22) disclose a method for printing postage based on preprinted serial numbers which are tracked which is a functional equivalent of the claim limitations. Regarding claim 25, Whisker (See abstract, Figs. 2-3, 5 and 6, Col. 4, lines 25-35, Col. 6, lines 50-60 claims 1, 10, 16 and 22) disclose a method for printing postage based on preprinted serial numbers and thereafter printing indicia of same on the mail piece substantially as claimed. The differences between the above and the claimed invention is the use of a preprinted label. It is noted that it is believed that the preprinted serial number could include a master serial number which is functionally equivalent to the claimed limitations. Otherwise resort can be had to Rhoads (See abstract, and Col. 1, lines 20-50) for a show of hidden data on a postal paper which is the functional equivalent of a master serial number. Either Sansone (Col. 3, lines 10-30) or Leon (See

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Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with color changing ink, cut labels and postal meter serial numbers. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Whisker because the preprinted labels are conventional functional equivalents with respect to the claim limitations in preprinted mail pieces. Regarding preprinted serial number limitations of claim 26, Whisker (See abstract, Figs. 2-3, 5 and 6, Col. 4, lines 25-35, Col. 6, lines 50-60 claims 1, 10, 16 and 22) disclose a method for printing postage based on preprinted serial numbers which is a functional equivalent of the claim limitations. Regarding the meter limitation of claim 27, Sansone (See Col. 2, 60-65, Col. 3, lines 1-25) show postal meter number on postage which is a functional equivalent of the claim limitations since security is enhanced by additional security elements. Regarding the postage limitations of claim 28, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with postage amount which is a functional equivalent of the claim limitations. Regarding the class limitations of claim 29, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with postage class (col. 7, line 5) which is a functional equivalent of the claim limitations since all postage requires postage class. Regarding post office limitations of claim 30, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12,

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lines 15-35) show preprinted postage labels with U.S. Postage features (See Fig. 4) which is a functional equivalent of the claim limitations. Regarding preprinted serial number limitations of claim 31, Whisker (See abstract, Figs. 2-3, 5 and 6, Col. 4, lines 25-35, Col. 6, lines 50-60 claims 1, 10, 16 and 22) disclose a method for printing postage based on preprinted serial numbers which is a functional equivalent of the claim limitations. Regarding claim 32, Whisker (See abstract, Figs. 2-3, 5 and 6, Col. 4, lines 25-35, Col. 6, lines 50-60 claims 1, 10, 16 and 22) disclose a method for printing postage based on preprinted serial numbers and thereafter printing indicia of same on the mail piece substantially as claimed. The differences between the above and the claimed invention is the use of a preprinted label. It is noted that it is believed that the preprinted serial number could include a master serial number which is functionally equivalent to the claimed limitations. Otherwise resort can be had to Rhoads (See abstract, and Col. 1, lines 20-50) for a show of hidden data on a postal paper which is the functional equivalent of a master serial number. Either Sansone (Col. 3, lines 10-30) or Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with color changing ink, cut labels and postal meter serial numbers. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Whisker because the preprinted labels are conventional functional

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equivalents with respect to the claim limitations in preprinted mail pieces. Regarding the postage limitations of claim 33, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with postage amount which is a functional equivalent of the claim limitations. Regarding the class limitations of claim 34, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with postage class (col. 7, line 5) which is a functional equivalent of the claim limitations since all postage requires postage class. Regarding post office limitations of claim 35, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with U.S. Postage features (See Fig. 4) which is a functional equivalent of the claim limitations. Regarding preprinted serial number limitations of claim 36, Whisker (See abstract, Figs. 2-3, 5 and 6, Col. 4, lines 25-35, Col. 6, lines 50-60 claims 1, 10, 16 and 22) disclose a method for printing postage based on preprinted serial numbers which is a functional equivalent of the claim limitations. Regarding anti-fraud limitations of claim 37, Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with encryption features which is a functional equivalent of the claim limitations. Regarding claim 38, Whisker (See abstract, Figs. 2-3, 5 and 6, Col. 4, lines 25-35, Col. 6, lines 50-60 claims 1, 10, 16 and 22) disclose a method for printing postage based on preprinted serial numbers and thereafter printing and

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tracking indicia of same on the mail piece substantially as claimed. The differences between the above and the claimed invention is the use of a preprinted label. It is noted that it is believed that the preprinted serial number could include a master serial number which is functionally equivalent to the claimed limitations. Otherwise resort can be had to Rhoads (See abstract, and Col. 1, lines 20-50) for a show of hidden data on a postal paper which is the functional equivalent of a master serial number. Either Sansone (Col. 3, lines 10-30) or Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with color changing ink, cut labels and postal meter serial numbers. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Whisker because the preprinted labels are conventional functional equivalents with respect to the claim limitations in preprinted mail pieces. Regarding preprinted serial number limitations of claim 39, Whisker (See abstract, Figs. 2-3, 5 and 6, Col. 4, lines 25-35, Col. 6, lines 50-60 claims 1, 10, 16 and 22) disclose a method for printing postage based on preprinted serial numbers which is a functional equivalent of the claim limitations. Regarding claim 40, Whisker (See abstract, Figs. 2-3, 5 and 6, Col. 4, lines 25-35, Col. 6, lines 50-60 claims 1, 10, 16 and 22) disclose a method for printing postage based on preprinted serial numbers and thereafter printing and tracking indicia of same on the mail

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piece substantially as claimed. The differences between the above and the claimed invention is the use of a preprinted label. It is noted that it is believed that the preprinted serial number could include a master serial number which is functionally equivalent to the claimed limitations. Otherwise resort can be had to Rhoads (See abstract, and Col. 1, lines 20-50) for a show of hidden data on a postal paper which is the functional equivalent of a master serial number. Either Sansone (Col. 3, lines 10-30) or Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with color changing ink, cut labels and postal meter serial numbers. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Whisker because the preprinted labels are conventional functional equivalents with respect to the claim limitations in preprinted mail pieces. Regarding claim 41, Whisker (See abstract, Figs. 2-3, 5 and 6, Col. 4, lines 25-35, Col. 6, lines 50-60 claims 1, 10, 16 and 22) disclose a method for printing postage based on preprinted serial numbers and thereafter printing and tracking indicia of same on the mail piece substantially as claimed. The differences between the above and the claimed invention is the use of a preprinted label. It is noted that it is believed that the preprinted serial number could include a master serial number which is functionally equivalent to the claimed limitations. Otherwise resort can be had to Rhoads (See abstract, and Col. 1, lines 20-

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50) for a show of hidden data on a postal paper which is the functional equivalent of a master serial number. Either Sansone (Col. 3, lines 10-30) or Leon (See Fig. 4, and Col. 8, lines 20-50, Col. 12, lines 15-35) show preprinted postage labels with color changing ink, cut labels and postal meter serial numbers. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Whisker because the preprinted labels are conventional functional equivalents with respect to the claim limitations in preprinted mail pieces.

Any inquiry concerning this communication should be directed to Salvatore Cangialosi at telephone number (703) 305-1837. The examiner can normally be reached 6:30 Am to 5:00 PM, Tuesday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached at (703) 305-9768.

Any response to this action should be mailed to:

Commissioner of Patent and Trademarks
Washington, D.C. 20231

or faxed to (703)872-9306

Hand delivered responses should be brought to Crystal Park V, 2451 Crystal Drive, Arlington, Virginia, Seventh Floor(Receptionist).


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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 3600 Customer Service Office whose telephone number is (703) **308-4177**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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